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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/772,347	01/29/2001	Jennifer Pearson	2043.038US1	2384
49845	7590	10/24/2006	EXAMINER	
SCHWEGMAN, LUNDBERG, WOESSNER & KLUTH/EBAY P.O. BOX 2938 MINNEAPOLIS, MN 55402			HOFFMAN, BRANDON S	
			ART UNIT	PAPER NUMBER
			2136	

DATE MAILED: 10/24/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No. 09/772,347	Applicant(s) PEARSON ET AL.	
	Examiner Brandon S. Hoffman	Art Unit 2136	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 16 August 2006.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-10, 12-18 and 20-25 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-10, 12-18 and 20-25 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

### DETAILED ACTION

1. Claims 1-10, 12-18, and 20-25 are pending in this office action, claims 11 and 19 are canceled.

#### ***Continued Examination Under 37 CFR 1.114***

2. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on August 16, 2006, has been entered.

3. Applicant's arguments are moot in view of the new ground of rejection.

#### ***Rejections***

4. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

#### ***Claim Rejections - 35 USC § 103***

5. Claims 1-10, 12-18, and 20-25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nazem et al. (U.S. Patent No. 5,983,227) in view of My Yahoo

(Wayback Machine article, dated December 12, 1998), and further in view of Haggle Online Account Maintenance (Wayback Machine article, dated June 29, 1998).

Regarding claims 1, 20, 22, and 24, Nazem et al. teaches a method/system/computer readable medium for maintaining login preference information of users of a network-based transaction facility, the method comprising:

- Communicating user interface information to a client via a communications network, the user interface information including information concerning a plurality of features within the network-based transaction facility and specifying a login interface facilitating user input of login preference information pertaining to each of the plurality of features, and wherein the login preference information is specific to a user to which it relates and is customized by that user (col. 5, lines 43-49);
- Receiving the login preference information from the client via the communications network (col. 3, line 59 through col. 4, line 2); and
- Utilizing the login preference information to selectively activate a number of the plurality of features, which are identified in the login preference information for the user, within the network-based transaction facility via the communications network (fig. 2, ref. num 218);
- After the user provides login information, which is separate from the login preference information, in order to initiate the subsequent login sessions (the

cookie in col. 3, lines 15-21 is the login information, which is stored separately from the login preference information shown in fig. 1, ref. num 116).

Nazem et al. does not teach wherein activation for the number of the plurality of features is enforced with subsequent login sessions initiated by the user by utilizing the login preference information, or the transaction facility is **associated with commerce and online auctioning, and wherein the features include at least one option defined by the user associated with bidding, listing items for sale, feedback on transactions with other users, chatting with a number of the other users, history of transactions, and email communications.**

My Yahoo teaches wherein activation for the number of the plurality of features is enforced with subsequent login sessions initiated by the user by utilizing the login preference information (page 1, left side, login ID and password).

It would have been obvious to one of ordinary skill in the art, at the time the invention was made, to combine wherein control is enforced with subsequent login sessions initiated by the user by utilizing the login preference information, as taught by My Yahoo, with the method/system/computer readable medium of Nazem et al. It would have been obvious for such modifications because logging into the network-based transaction facility prevents other users from accessing and changing your account settings.

The combination of Nazem et al. as modified by My Yahoo still does not teach **associated with commerce and online auctioning, and wherein the features include at least one option defined by the user associated with bidding, listing items for sale, feedback on transactions with other users, chatting with a number of the other users, history of transactions, and email communications.**

Haggle Online Account Maintenance teaches **associated with commerce and online auctioning, and wherein the features include at least one option defined by the user associated with bidding, listing items for sale, feedback on transactions with other users, chatting with a number of the other users, history of transactions, and email communications** (page 1, listing of account status features).

It would have been obvious to one of ordinary skill in the art, at the time the invention was made, to combine an auction-based facility with features such as bid history, items for sale, feedback, as taught by Haggle Online Account Maintenance, with the method/system/computer readable medium of Nazem et al./My Yahoo. It would have been obvious for such modifications because features like bid history, items for sale, feedback, etc., are important for determining reputations of users in an auction environment, which allows other buyers and sellers to gain confidence in the transactions they are taking part in.

Regarding claim 2, Nazem et al. as modified by My Yahoo/Haggle Online Account Maintenance teaches wherein the login preference information indicates whether a user password should be remembered for each of the plurality of features (see page 1, left side, checkbox for 'Remember my ID & Password' of My Yahoo).

Regarding claim 3, Nazem et al. as modified by My Yahoo/Haggle Online Account Maintenance teaches comprising storing the login preference information in a database (see fig. 1, ref. num 116 of Nazem et al.).

Regarding claim 4, Nazem et al. as modified by My Yahoo/Haggle Online Account Maintenance teaches further comprising:

- Initiating a user session upon receiving the user login information (see page 1, left side, login ID and password of My Yahoo);
- Retrieving the login preference information from the database using the user login information (see fig. 1, ref. num 116 of Nazem et al.);
- Storing the login preference information in a session cookie during the user session (see col. 3, lines 15-21 of Nazem et al.);
- Receiving a user request to access a selected feature of the plurality of features within the network-based transaction facility (see col. 3, line 59 through col. 4, line 2 of Nazem et al.); and

- Utilizing the login preference information in the session cookie when determining whether to require the user to enter user access information before providing user access to the selected feature (see fig. 2, ref. num 218 of Nazem et al.).

Regarding claim 5, Nazem et al. as modified by My Yahoo/Haggle Online Account Maintenance teaches wherein the login preference information is stored in the session cookie in a secured manner (see page 3, 'Secure' of My Yahoo).

Regarding claim 6, Nazem et al. as modified by My Yahoo/Haggle Online Account Maintenance teaches further comprising:

- Receiving a user request not to use a cookie during user online activity within the network-based transaction facility (this feature can be set in the browser settings as is well known); and
- Retrieving the login preference information from the database when determining whether to require the user to enter the user login information before providing user access to a selected feature of the plurality of features within the network-based transaction facility (see fig. 1, ref. num 116 and col. 3, lines 15-21 of Nazem et al.).

Regarding claim 7, Nazem et al. as modified by My Yahoo/Haggle Online Account Maintenance teaches further comprising:

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- Presenting a user interface allowing the user to change the login preference information (see fig. 5A, ref. num 508 of Nazem et al.); and
- Updating the login preference information in a database (see col. 3, lines 22-35 of Nazem et al.).

Regarding claim 8, Nazem et al. as modified by My Yahoo/Haggle Online

Account Maintenance teaches further comprising:

- Receiving the user login information (see page 1, left side, login ID and password of My Yahoo);
- Determining that the user has previously provided the login preference information (see page 3 of My Yahoo); and
- Presenting a welcome user interface including user interface information indicating that the user has previously provided the login preference information (see page 3, WELCOME BACK message of My Yahoo).

Regarding claim 9, Nazem et al. as modified by My Yahoo/Haggle Online

Account Maintenance teaches including always requiring a user password for any feature involving display of user personal information (see page 3 of My Yahoo).

Regarding claim 10, Nazem et al. as modified by My Yahoo/Haggle Online

Account Maintenance teaches wherein the user personal information includes any one

of a group comprising credit card information and registration information (see col. 6, lines 23-26 of Nazem et al.).

Regarding claims 12, 21, 23, and 25, Nazem et al. teaches a method/system/computer readable medium to control access to a network-based transaction facility, the method including:

- Identifying a user associated with a network-based transaction facility by using user login information, which is separate from user access preferences (the cookie in col. 3, lines 15-21 is the user login information, which is stored separately from the user access preferences shown in fig. 1, ref. num 116);
- Identifying the access preferences associated with the user, the access preferences indicating selective access requirements to each of a plurality of features provided by the network-based transaction facility, wherein the access preferences identify each of the plurality of features and are customized for the user and the user's interaction with the network-based transaction facility (fig. 1, ref. num 116); and
- Controlling access to each of the plurality of features in accordance with the stored access preferences (col. 5, lines 50-64).

Nazem et al. does not teach the user logs into the network-based transaction facility or the transaction facility is **associated with commerce and online auctioning, and wherein the features include at least one option defined by the user**

**associated with bidding, listing items for sale, feedback on transactions with other users, chatting with a number of the other users, history of transactions, and email communications.**

My Yahoo teaches the user logs into the network-based transaction facility (page 1, left side, login ID and password).

It would have been obvious to one of ordinary skill in the art, at the time the invention was made, to combine the user logs into the network-based transaction facility, as taught by My Yahoo, with the method/system/computer readable medium of Nazem et al. It would have been obvious for such modifications because logging into the network-based transaction facility prevents other users from accessing and changing your account settings.

The combination of Nazem et al. as modified by My Yahoo still does not teach **associated with commerce and online auctioning, and wherein the features include at least one option defined by the user associated with bidding, listing items for sale, feedback on transactions with other users, chatting with a number of the other users, history of transactions, and email communications.**

Haggle Online Account Maintenance teaches **associated with commerce and online auctioning, and wherein the features include at least one option defined by**

**the user associated with bidding, listing items for sale, feedback on transactions with other users, chatting with a number of the other users, history of transactions, and email communications** (page 1, listing of account status features).

It would have been obvious to one of ordinary skill in the art, at the time the invention was made, to combine an auction-based facility with features such as bid history, items for sale, feedback, as taught by Haggle Online Account Maintenance, with the method/system/computer readable medium of Nazem et al./My Yahoo. It would have been obvious for such modifications because features like bid history, items for sale, feedback, etc., are important for determining reputations of users in an auction environment, which allows other buyers and sellers to gain confidence in the transactions they are taking part in.

Regarding claim 13, Nazem et al. as modified by My Yahoo/Haggle Online Account Maintenance teaches wherein the controlling comprises implementing different access restrictions to respective features of the plurality of features according to the access preferences (see col. 5, lines 50-64 of Nazem et al.).

Regarding claim 14, Nazem et al. as modified by My Yahoo/Haggle Online Account Maintenance teaches wherein the controlling requires selectively requiring user identity verification information as a portion of the user login information to access a first feature of the plurality of features in accordance with the access preferences (see col.

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11, top section of code of Nazem et al. requires a login, from thereon, a cookie is used to store the login information).

Regarding claim 15, Nazem et al. as modified by My Yahoo/Haggle Online Account Maintenance teaches wherein the user identity verification information comprises a password (see page 1, PASSWORD field of Haggle Online Account Maintenance).

Regarding claim 16, Nazem et al. as modified by My Yahoo/Haggle Online Account Maintenance teaches including communicating a request to the user to determine a set of access preferences pertaining to the plurality of features, and storing a response to the request as the access preferences (see col. 5, line 66 through col. 6, line 12 of Nazem et al.).

Regarding claim 17, Nazem et al. as modified by My Yahoo/Haggle Online Account Maintenance teaches wherein the request comprises a user interface via which the user composes the response (see fig. 5A, ref. num 508 of Nazem et al.).

Regarding claim 18, Nazem et al. as modified by My Yahoo/Haggle Online Account Maintenance teaches wherein the user interface comprises a markup language document (see col. 2, lines 44-48 of Nazem et al.).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Brandon S. Hoffman whose telephone number is 571-272-3863. The examiner can normally be reached on M-F 8:30 - 5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nasser G. Moazzami can be reached on 571-272-4195. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

*Brandon Hoff*

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*[Signature]*  
10,20,06